

**In the United States District Court  
for the Southern District of Georgia  
Waycross Division**

GARY J. FENDLEY,

Plaintiff,

5:23-cv-85

v.

AMY KING, et al.,

Defendants.

**ORDER**

The Magistrate Judge issued a Report and Recommendation for the Court to grant Defendants Bannaman, Dennis, and Henderson's Motion to Dismiss and to dismiss without prejudice Plaintiff's Complaint based on his failure to exhaust his administrative remedies.<sup>1</sup> Dkt. No. 29. Plaintiff did not file Objections to this Report and Recommendation, and the time to do so has elapsed.

Accordingly, upon review, I find no clear error in the Magistrate Judge's Report and Recommendation and **ADOPT** the Report and Recommendation as the opinion of the Court. See Macort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006) (If no specific objections are made or no objections are made at all, "the appropriate standard of review for the report and recommendation

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<sup>1</sup> The Magistrate Judge also noted Plaintiff named Amy King, Amy Thurman, and Jane Doe as Defendants. Dkt. No. 29 at 1 n.1. I also adopt this portion of the Magistrate Judge's Report and Recommendation concerning these three Defendants, resulting in the dismissal of all Defendants.

is clear error."). I **GRANT** these Defendants' Motion to Dismiss and **DISMISS without prejudice** Plaintiff's Complaint. I also **DIRECT** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal and **DENY** Plaintiff *in forma pauperis* status on appeal.

SO ORDERED, this 19 day of March, 2025.



HON. LISA GODBEY WOOD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA